

HOUSE _____ AMENDMENT NO. _____

Offered By _____

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 0498,
Page 1, Section A, Line 2 by inserting after said line the following:

“161.216. 1. No quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education or its successor, or any training or credentialing may be established, created, or operated within this state, unless the authority to create or operate such a quality rating system is enacted into law through:

(1) A bill as prescribed by article III of the Missouri Constitution;

(2) An initiative petition as prescribed by section 50 of article III of the Missouri Constitution; or

(3) A referendum as prescribed by section 52(a) of article III of the Missouri Constitution.

No quality rating system, improvement system, evaluation system, training quality assurance system or its successor for early childhood education shall be enacted under this section unless such system allows for ratings or evaluations to be conducted by no fewer than three nationally or regionally recognized organizations that reflect the composition and diversity of the early childhood program market.

2. In no case shall the authority for establishing, administering, or operating a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education in Missouri be based upon an executive order issued by the governor of Missouri.

3. No department, board, commission, committee, council, agency, instrumentality, quasi-governmental entity, or political subdivision of the state of Missouri shall promulgate any rule or establish any program, policy, guideline, or plan or change any rule, program, policy, guideline, or plan to implement, establish, create, administer, or otherwise operate a quality rating system, improvement system, evaluation system, or training quality assurance system for early childhood education unless such department, board, commission, committee, council, agency, instrumentality, or political subdivision has received statutory authority to do so in a manner consistent with subsection 1 of this section.

4. No department, board, commission, committee, council, agency, instrumentality,

1 political subdivision of this state, public officer, quasi-governmental entity, employee of this
2 state, or any private entity shall apply for, accept, or expend any moneys directly or indirectly
3 related to the creation, implementation, or operation of a quality rating system,
4 improvement system, evaluation system, or training quality assurance system for early childhood
5 education unless such acceptance or expenditure is authorized by statute or an appropriations bill,
6 irrespective of the source of such moneys.

7 5. No department, board, commission, committee, council, agency, instrumentality,
8 political subdivision of this state, public officer, quasi-governmental entity, employee of this
9 state, or private entity shall accept or expend any moneys from the gaming commission fund
10 created in section 313.835 for anything directly or indirectly related to the creation,
11 implementation, or operation of a quality rating system, improvement system, evaluation system,
12 or training quality assurance system for early childhood education unless such acceptance or
13 expenditure is authorized by statute or an appropriations bill.

14 6. No department, board, commission, committee, council, agency, instrumentality,
15 political subdivision, public officer, quasi-governmental entity, employee of this state, or private
16 entity shall enter into any agreement or any obligation to establish, administer, or operate a quality
17 rating system, improvement system, evaluation system, or training quality assurance system for
18 early childhood education unless such department, board, commission, committee, council,
19 agency, instrumentality, political subdivision, public officer, quasigovernmental entity, or
20 employee of this state has received statutory authority to enter into such agreements or
21 obligations. No department, board, commission, committee, council, agency, instrumentality,
22 political subdivision, public officer, quasigovernmental entity, employee of this state, or private
23 entity shall provide assistance or resources of any kind, directly or indirectly, to any department,
24 agency, public official, employee of the state, agent of any government, or private entity related to
25 the creation or operation of a quality rating system, improvement system, evaluation system, or
26 training quality assurance system for early childhood education unless such assistance or
27 resources are authorized by state statute or such assistance or resources are specifically required
28 by law.

29 7. Any taxpayer of this state or any member of the general assembly shall have standing to
30 bring suit against the state of Missouri or any official, department, division, agency, board,
31 commission, committee, council, political subdivision of this state, public officer,
32 quasi-governmental entity, employee of the state, instrumentality, or private entity which is in
33 violation of this section in any court with jurisdiction to enforce the provisions of this section. The
34 court shall award attorney's fees, court costs, and all reasonable expenses incurred by the
35 taxpayer or member of the general assembly if the court finds that the provisions of this section
36 have been violated. Such attorney's fees, court costs, and reasonable expenses shall be paid from

1 funds appropriated to the department, division, agency, board, commission, committee, council,
2 any political subdivision of this state, instrumentality, public officer, quasigovernmental entity or
3 employee of this state determined to have violated, in whole or in part, the provisions of this
4 section. In no case shall the award of attorney's fees, court costs, or reasonable expenses be paid
5 from the legal defense fund, nor shall any department, division, agency, board, commission,
6 committee, council, or political subdivision, quasi-governmental entity, public officer, or
7 employee of this state request, or be granted, additional appropriations in order to satisfy an award
8 made under this section.”; and
9

10 Further amend said bill, Page 1, Section B by deleting said section and inserting in lieu thereof the
11 following:

12 “Section 1. 1. No state university, as established in section 9(a) of article IX of the
13 Missouri Constitution, or campus thereof, that receives state scholarship funds that are derived in
14 whole or in part from gaming moneys from the gaming commission fund in section 313.835 shall
15 operate an institute whose operations consist of the following:

- 16 (1) Tracking the participation of women at various levels of government;
17 (2) Increasing the presence of women on boards and commissions;
18 (3) Training college women leaders;
19 (4) Increasing the number of women in policy making positions in government; and
20 (5) Encouraging women to seek public office.

21 2. Any taxpayer of this state or any member of the general assembly shall have standing to
22 bring suit against the state of Missouri or any official, department, division, agency, board,
23 commission, committee, council, or political subdivision of this state which is in violation of this
24 section in any court with jurisdiction to enforce the provisions of this section. The court shall
25 award attorney's fees, court costs, and all reasonable expenses incurred by the taxpayer or member
26 of the general assembly if the court finds that the provisions of this section have been violated.
27 Such attorney's fees, court costs, and reasonable expenses shall be paid from funds appropriated to
28 the department, division, agency, board, commission, committee, council, or any political
29 subdivision of this state determined to have violated, in whole or in part, the provisions of this
30 section. In no case shall the award of attorney's fees, court costs, or reasonable expenses be paid
31 from the legal defense fund, nor shall any department, division, agency, board, commission,
32 committee, council, or political subdivision of this state request, or be granted, additional
33 appropriations in order to satisfy an award made under this section.

34 Section B. Because immediate action is necessary to protect the financial well-being of
35 vulnerable populations the repeal and reenactment of sections 42.300, 161.215, 313.835 and
36 407.489 of this act are deemed necessary for the immediate preservation of the public health,

1 welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of
2 the constitution, and the repeal and reenactment of sections 42.300, 161.215, 313.835 and 407.489
3 of this act shall be in full force and effect upon its passage and approval.”; and
4
5 Further amend said bill by amending the title, enacting clause, and intersectional references
6 accordingly.